

### **REMARKS**

In reply to the Final Office Action mailed August 9, 2010, Applicants submit the following Amendment and Reply. Prior to entry of the current Amendment and Reply, claims 59-95 are pending. Claims 1-58 are cancelled. Claims 91-95 are withdrawn. Claims 59-90 stand rejected.

With the present Amendment and Reply, Applicants cancel all rejected claims (i.e., claims 59-90). Applicants present new claims 96-102. No new matter is presented. Applicants respectfully request consideration of the newly presented claims.

#### **Rejection Under 35 U.S.C. §1112, First Paragraph**

Claims 65, 67, 69, 71, and 73 stand rejected under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. With the present Amendment and Reply, Applicants cancel rejected claims 65, 67, 69, 71, and 73. Withdrawal of the rejection is respectfully requested.

#### **Rejection Under 35 U.S.C. §1112, Second Paragraph**

Claims 59-90 stand rejected under 35 U.S.C. §112, second paragraph as failing to set forth the subject matter which applicants regard as their invention. With the present Amendment and Reply, Applicants cancel rejected claims 59-90. Withdrawal of the rejection is respectfully requested.

#### **Rejection of Claims 30-32 Under 35 U.S.C. §103(a)**

Claims 59-66, 68-70, 72, and 74-90 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kamei et al. (U.S. Patent No. 4,855,133) in view Henderson et al., Schnuch et al., EPA Pesticide Inert Ingredients (2002), Symecko et al., Miura et al., and Wu. The Examiner contends that the claimed invention, as a whole, would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made because allegedly each and every element of the invention has been collectively taught by the combined teachings of the references.

With the present Amendment and Reply, Applicants cancel rejected claims 59-66, 68-70, 72, and 74-90. Applicants note that new claims 96-102 are not obvious under 35 U.S.C. §103(a) over the cited references because the cited references do not teach or suggest the instantly claimed granule bait. For example, each of Kamei et al., Henderson et al., Schnuch et al., EPA Pesticide Inert Ingredients (2002), Symecko et al., and Wu fail to disclose the use of

thiametoxam in a granule bait as instantly claimed. Furthermore, even if combined, none of the cited references disclose a granule bait for the control of house flies that includes each of the claimed components in combination.

Applicants respectfully request withdrawal of the rejection of claims 59-66, 68-70, 72, and 74-90 and allowance of the newly presented claims.

**CONCLUSION**

The claims are believed in condition for allowance and Applicants respectfully request such action. The Examiner is invited to contact Applicants' undersigned representative with any questions or comments for expeditious handling.

Respectfully submitted,

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